



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL Historic District

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

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July Minutes

Wednesday, July 11, 2018; 7:00 p.m.

The July meeting of the Historic Preservation Commission was held on Wednesday, July 11, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the June minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Renee Novak, Lewis Taylor

OTHER BUSINESS

1. Ellicott City Design Guidelines Update
2. Ellicott City Flood Update

PLANS FOR APPROVAL

Consent Agenda

1. HPC-18-38c – 8173 Main Street, Ellicott City

Regular Agenda

2. HPC-18-39 – 8394 Main Street, Ellicott City
3. HPC-18-40 – DPW Repairs to Ellicott City Historic District
4. HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City

CONSENT AGENDA

HPC-18-38c – 8173 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Historic Ellicott Properties, Inc., Bruce T. Taylor, M.D., President

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$131,700.00. The difference in the assessment that is eligible for the tax credit is \$130,700.00. The application states that \$57,726.57 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$13,252.98. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$18,526.00 in qualified expenses for work that includes HVAC replacement and repair.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify. There was no discussion on this case.

Motion: Mr. Roth moved to Approve as submitted. Ms. Tennor seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-39 – 8394 Main Street, Ellicott City, HO-64

Certificate of Approval to relocate structure.

Applicant: Raul Delerme, Howard County Recreation and Parks

Background & Scope of Work: This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-64. The Thomas Isaac Log Cabin, according to the Historic Sites Inventory form, may date to the 1780s. The log cabin was originally located on Merryman Street and was dismantled in 1980 and stored by Recreation and Parks, until it was rebuilt in its current location in 1988. The May 27, 2018 flood resulted in a collapse of Ellicott Mills Drive, and the subsequent damage has compromised the structural integrity of the log cabin, as shown below in Figure 1.



Figure 1 - Aerial view of Ellicott Mills Drive at Main Street



Figure 2 - Damage at log cabin

There is also a culvert, approximately 5-6 feet in diameter, that runs under part of the log cabin. This presents additional concerns as work needs to be done directly under and around the structure. As a result, the Applicant proposes to relocate the log cabin in order to preserve the structure. A new permanent location and plan for relocation of the structure is in the process of being identified. The application explains that the building will likely be moved in one piece, instead of being dismantled.

The log cabin is also under an MHT Easement and Recreation and Parks will coordinate the easement review through MHT.

Staff Comments: Chapter 12 of the Guidelines states, “relocation will detract from the integrity of a historic structure and its site and requires strong justification. If relocation is approved, the building should be moved to a similar setting, preferably within the historic district.” The current location of the log cabin along Main Street is not the original location as the cabin was first moved from Merryman Street. The existing setting, while aesthetically pleasing, is also not representative of the original setting. Ideally, a new permanent location will be a similarly designed public space, but given the emergency nature of the request to move the structure, this information is not yet known.

Chapter 12 of the Guidelines explains, “for any demolition or relocation, the treatment of the site after removal of the structure and the new location and site design for a relocated building (if the location is within the historic district) must also be approved by the Commission.” Once a permanent location for the log cabin is determined, a new application will need to be submitted for approval, however in the interim, moving the log cabin to a temporary location is acceptable given the circumstances.

Staff Recommendation: Staff recommends HPC approve moving the log cabin from its current location to a temporary location as needed, until a permanent location within the Ellicott City Historic District can be identified.

Testimony: Mr. Shad swore in Raul Delerme and Caitlin Chamberlain. Mr. Delerme explained that the May 27 flood blew out the road and left the cabin sitting on the edge of the eroded area. He said they are still debating if they need to move the log cabin or not, but that if they have to move it, the move will need to happen quickly. Recreation and Parks is working with DPW to see if the pipes that run under the cabin can be moved away from it, in order to preserve the current location of the cabin. Mr. Delerme said they will know within the next week or two if the cabin needs to be moved. He explained that they have reached out to contractors and have received proposals for the relocation, so they are ready to move it if needed. If it is determined that the cabin needs to be moved, it would be temporarily moved to Parking Lot F or Parking Lot G until a permanent home can be determined. Mr. Delerme said the upper part of Lot F is ideal because they own the Bernard Fort house adjacent to it.

Ms. Tennor asked if the consultants think the cabin can be moved intact and Mr. Delerme replied that they could move it intact, which is the plan. Mr. Roth asked if the same foundation will be used and Mr. Delerme replied that they would like to use it if possible. Mr. Roth asked if the foundation dates to the current placement of the building on Main Street. Mr. Delerme said that was correct, the foundation is not historic and was constructed when the building was moved from Merryman Street to Main Street. Mr. Roth said that it seemed reasonable to move the building if it is needed. Mr. Delerme said they expect DPW to make a decision on moving the pipes within the next few weeks. Mr. Delerme said they would return to the Commission for approval of the final placement of the cabin, if it is moved temporarily.

Motion: Mr. Roth moved to approve the application per the Staff recommendation. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-40 – Department of Public Works Repairs to Ellicott City Historic District (Emergency Addition)

Advisory Comments for repairs.

Applicant: Mark DeLuca, Howard County Department of Public Works

Background & Scope of Work: The Applicant will present an overview of the emergency repairs needed within the Ellicott City Historic District, specifically at Ellicott Mills Drive and New Cut Road. The final repair plans are still in process and the Applicant will return to the Commission for approval once completed. A portion of the roadway at Ellicott Mills Drive and Main Street washed away and a portion of slope supporting New Cut Road also washed away. Both roads are closed until the repairs can be made. Photos of Ellicott Mills Drive and New Cut Road are shown below.



Figure 3 - Ellicott Mills Drive and Main Street



Figure 4 - Ellicott Mills Drive



Figure 5 - Ellicott Mills Drive



Figure 6 - New Cut Road

Testimony: Mr. Shad swore in Mark DeLuca, Deputy Director of the Department of Public Works. Mr. DeLuca explained that the damage to Ellicott Mills Drive and New Cut Road occurred because of the May 27, 2018 flood. Mr. DeLuca gave a PowerPoint presentation and started with an overview of the damage to Ellicott Mills Drive where the road washed away.

Mr. DeLuca explained how the road collapsed, stating that water was running through the pipe under the street and the pipe failed. He said the pipe dated to the construction of Ellicott Mills Drive around 1970 and was a corrugated aluminum pipe at the end of its design life. He explained how water got underneath the pipe and created a blockage inside so that the water went over road and then eroded the road away. When the road washed away they found a historic stone wall, two millstones and a piece of granite with the date 1875 carved into it. Mr. DeLuca explained that the historic stone wall is not in great shape. In order to fix the wall, it will require sheeting and shoring, using concrete and lagging to support the banks. Mr. DeLuca said they cannot incorporate the historic wall into the new design because of the necessity of the sheeting and shoring, but said that if a wall is needed there, it would have an architectural stacked stone treatment to replicate wall.

On the next slide, Mr. DeLuca showed where headwall originally was located and where new a headwall and pipe would be placed. Mr. DeLuca explained that it will all be covered. He said that a new headwall will be constructed and attach to new aluminum pipe, which will be much larger than the previously existing and be able to handle a 100-year storm. The old pipe could not carry a 100-year storm. He explained that the marks on the drawing on the PowerPoint slide indicate rip rap, which will help with erosion. He explained how they are working with the Army Corps of Engineers and Maryland Department of the Environment (MDE), which is required as they are seeking to repair the damage with in-kind hydraulics as an emergency repair. Mr. DeLuca said the goal is to get the road open as soon as possible, which they are hoping is by November, an ambitious goal. He said that MDE and the Corps agreed they would allow a rolling review of the project versus a one-time review, which could take months.

Ms. Tennor asked if the new road will be at the same elevation as the previously existing road and Mr. DeLuca confirmed that it would be. Mr. Taylor asked if the historic stone wall would be underground

again when the work was finished, and Mr. DeLuca replied that it would be underground, as it was before. Mr. Taylor asked if it was possible to harvest the stone, rather than burying it. Mr. DeLuca explained that it would create a bigger job and affect more of the slope and underground utilities if they tried to remove the stone.

Mr. DeLuca explained that the pipe will be buried underground and once it crosses under Ellicott Mills Drive, the new pipe will connect to the existing pipe. He said the headwall on the Parking Lot F side of the street might stick up a little bit and would get a veneer treatment similar to what was done on the Ellicott Mills Brewery wall after the 2016 flood. Mr. DeLuca explained that the ends of the of the pipe will remain in place until they can remove them and let the water freely flow into the stream, which could take years. Right now they can't remove them as the channel downstream cannot handle the water.

The Commission and Mr. DeLuca discussed the historic stone wall and what it may have been, possibly a mill race channel since there was a mill at this location historically.

Mr. Taylor confirmed that the only change on the surface from prior to the flood will be rip rap and some headwalls that will be veneered where the pipe is. Mr. DeLuca said that was correct. Mr. DeLuca explained that if this type of flooding happens again, the rip rap should help keep everything in place.

Mr. Roth asked if there was any thought in putting in a bridge and exposing the stream. Mr. DeLuca explained that exposing the stream would mean letting the 100-year flow go through, which they can't do yet as the downstream channels do not have the capability to handle that capacity of water. Mr. DeLuca said that MDE and the Corp won't allow that. Mr. DeLuca explained if a property is immediately downstream, that would be an issue because creating a bridge would simply push the water downstream. Mr. DeLuca explained that ideally a project like this would start downstream and be worked on heading upstream, as you shouldn't start in the middle, which can adversely affect people who didn't have any impact. Since the culvert failed and washed out the road, they have to work in the middle, but need to be sensitive to everyone downstream.

Mr. DeLuca explained that they are trying to re-establish road as quickly as possible and are making the repairs hydraulically equal as it was before. Sometime in the future they will be able to take the gates off to let it flow free, but can't do that now because channel can't handle that flow.

He said that as they refine the designs, in about another month, they will have the design down and then they can go out to bid, but that it shouldn't change that much.

Next Mr. DeLuca discussed the repairs needed to the New Cut branch, in order to get New Cut Road open. Mr. DeLuca showed an image of the location of the damage within the Historic District and oriented the Commission members. Mr. DeLuca explained that the grade of the road was raised sometime in the 1940s-60s by about 20 feet and as a result, sits much higher than the stream. He said prior to that the road would have been closer to the stream. He explained that the slope is a mix of soil and rock face. He said that rock face is very hard, about 65 tons per square foot and a 15-story building could be constructed on it. Mr. DeLuca showed a slide that broke the area of damage down into four areas: Area 1 is soil, Area 2 is rock, Area 3 is soil and Area 4 is rock. For Areas 1 and 3, which are soil, they will re-establish the grades that where there and armor the edge of the stream with stone rip rap. For Areas 2 and 4 they will construct walls. Mr. DeLuca said the consultants have created concepts for the repairs but need to finalize them and then talk to the adjoining property owners.

Mr. DeLuca explained that they have looked into several different kinds of wall systems and are looking at using the same wall system that was used on Old Columbia Pike behind the former Ellicott City Theater. The wall will consist of caissons, H-piles and then backfilled with concrete. This will be done on 8-foot centers and have precast planks that go between each of the 8-foot sections. Mr. DeLuca explained that they don't know how tall the wall will be yet and said that anything over 10-feet in height needs a tie back.

Mr. DeLuca explained that in the two areas where they need a wall (Areas 2 and Area 4), there is the road and private property. Some of the property is used as parking for nearby rowhomes, so they need to preserve that parking, as well as some existing paper lots (undeveloped lots). Mr. DeLuca said they would also put a treatment there (such as a guardrail or railing) to keep people from driving or falling over.

Mr. DeLuca explained that on the Old Columbia Pike wall by the Theater, (where they did the same type of wall), it is an H-pile caisson with tie backs and is about 12 -15 feet high. They also installed an imbricated wall in front (stacked stone) and then backfilled with loose concrete or flowable fill and placed rip rap at the base of wall. He said that this is the treatment they would use for the wall on New Cut Road. He explained that it is hard to get the big stones from the quarry, and he would like to put stone back along the area where a wall is needed as it looks better.

Mr. DeLuca explained that the wall is designed for the 100-year storm, but they also went down to the stream with USGS (United States Geological Survey) and marked the high-water mark and are making a wall design for the high-water mark from the May 27 storm. For this design, they will need to look at how high the wall ends up being and see what it will cost and exactly where it would go. This wall would only re-establish the slope, so the road can be fixed. He said that right now it's about 15 feet high and explained that if they went to high water mark, he's not sure how high that makes the wall, but said that if it's a 30-foot wall then they need to reconsider the wall and facing and examine the cost-benefit. The designers are still working on this design.

Mr. DeLuca summarized that the plans are all concepts right now, but he wanted to share this information with the Commission before the designs get farther along. Ms. Tennor asked if he will come back when he has more information. Mr. DeLuca said that he will return when they are at 90% completion of the design, before they finalize for a contract document set. Mr. Roth confirmed this application was for Advisory Comments. Mr. DeLuca said it was just Advisory, he didn't want to wait to present this until they were almost done designing.

Motion: There was no motion as this case was for Advisory Comments, but the Commission did not have any objections to the information presented.

HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City
(continued from June)

Certificate of Approval for exterior alterations.

Applicant: Avinash Dewani, Howard County Department of Public Works

June Background & Scope of Work: These properties are located in the Ellicott City Historic District. While there are historic and modern buildings on these properties, the application deals with site alterations. The Department of Public Works, Real Estate Services Division, is in the process of acquiring easements for the parcels that are privately owned that this project falls within. The application is for the stabilization of a slope, that contains trees and a historic stone wall, along Court House Drive. At this

section of roadway there is a stream and culvert that runs under the road. The application explains, “the existing natural stone headwall at the outfall of the pipe has experienced significant cracking and is severely damaged. The downstream embankment slope has erosion in several places. Runoff has resulted in damage to the existing gabion basket supporting the road edge at the top of the roadway embankment, and the cracks have developed in the roadway.”

The Applicant proposes the following:

- 1) Replace the existing asphalt curb and damaged curb opening with a concrete curb.
- 2) Bury the existing stone wall and add fill to create a more stable slope.
- 3) Install two combination inlets and a storm drain to capture roadway runoff from Court House Drive and convey the runoff to the suitable outfall close to the stream, to reduce the flow on the road embankment.
- 4) Replace the damaged portion of the existing 36" RCP storm drain pipe and extend and line with concrete.
- 5) Regrade the outfall and stabilize to reduce the flow of velocity from the pipe.
- 6) Remove 11 trees that are 12 inches or greater DPH, including one 30.5-inch tulip poplar specimen tree. The specimen tree is located along the southwest edge of the limit of disturbance adjacent to the proposed grading that will affect more than 33% of the critical root zone.

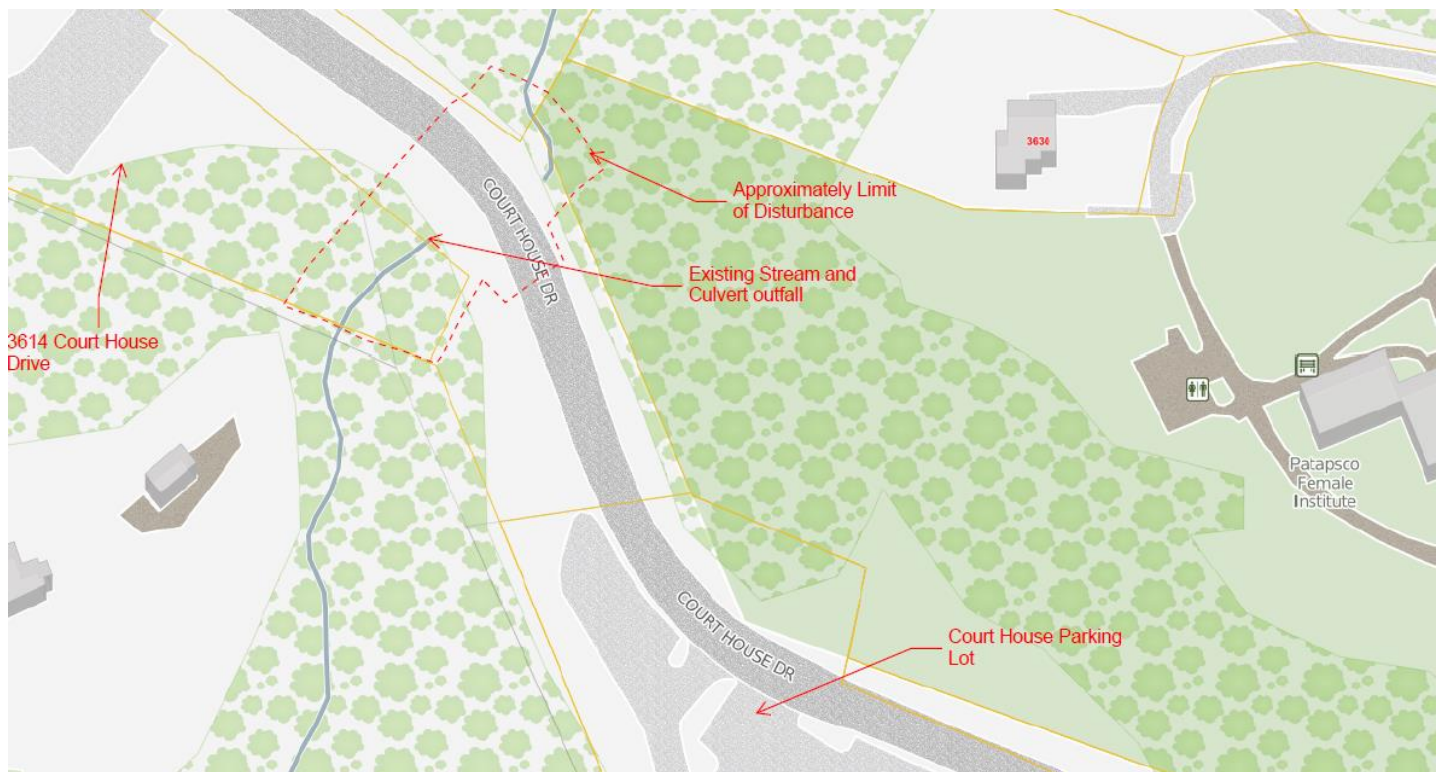


Figure 7 - Site map of project

Figure 8 below shows the existing stone wall on the south side of Court House Drive, that is proposed to be buried. The date of the wall is unknown, but the Applicant believes it may date to the construction of the road. Staff's research suggest that the wall is historic and most likely dates to an earlier, lower road bed, as it would be unusual for the current road to have been constructed with stone instead of concrete. Figure 9 is an example of what the side with the stone wall will look like after it is buried.

Staff inquired if a structural analysis of the wall was done and the consultant replied, “We did not do any structural analysis of the wall. The degree of damage the wall has already sustained, and the variability of wall materials and their overall integrity would make it very difficult to accurately analyze the structure; doing so would likely require a test hole, which could further compromise the slope and wall stability and roadway safety. We also needed to lessen the steepness of the roadway embankment slope to make it stable and we could not do that with the existing wall.”



Figure 8 - Existing stone wall



Figure 9 - Example of site after burying wall

Eleven trees are identified for removal due to their location within the project area, but there is no information on the health of the trees. The trees to be removed are identified on the site plan and include:

Tree ID #	DBH (Diameter at Breast Height)	Common Name of Tree
22	13 inches	Boxelder
23	13 inches	Black Locust
25	24.5 inches	Tulip Poplar
26	14.5 inches	Boxelder
29	30.5 inches	Tulip Poplar (specimen)
30	16.5 inches	Tulip Poplar
31	19 inches	Tulip Poplar
41	20.9 inches	Green Ash
42	12.5 inches	Beech
43	12.5 inches	Tulip Poplar
52	16 inches	Red Maple

Figure 10 - Trees to be removed

June Staff Comments: The application does not comply with the recommendations in the Ellicott City Historic District Design Guidelines. Chapter 9 explains, “Ellicott City’s natural setting is essential to its character...Ellicott City’s buildings and streets were fitted into the steep hillsides without major changes to the natural land forms. Retaining walls or the outer walls of buildings have been used to terrace the land to create the narrow, level areas needed for buildings, roads, gardens and other improvements.” Chapter 9 recommends, “retain landscaping patterns that reflect the historic development of the property” and “preserve historic features, such as retaining walls, freestanding walls, fences...and steps. When possible, reuse the historic building material to repair or restore these structures.” The stone wall is most likely a historic landscaping element and the burial of the wall would not comply with the Guidelines.

Chapter 9.B recommends against, “the removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures.” There is cracking evident in the stone wall, however there are also trees growing into the wall, which are contributing to the damage. The trees should have been removed and should not have grown to this size. The removal of these trees would comply with the Guidelines as they are damaging a historic structure. The wall should be repaired, and repointed and weep holes installed as need to allow for proper drainage.



Figure 11 - Cracking in stone wall

An alternate plan for stabilization of the slope that does not bury the historic stone wall and minimizes removal of trees should be identified. There was no evidence submitted within

the application that shows the cracking of the stone wall is due to the anything other than trees growing into the wall and lack of proper drainage.

July Staff Comments Update: The Applicant has asked the consultant to look into three possible solutions: 1) Constructing a wall between the roadway and existing wall, 2) construct a new wall and reuse the existing stone and 3) any other solutions that would save the historic stone wall. The Applicant is still waiting to hear from the consultant at the time this staff report was written, so Staff does not have any new information to present to the Commission.

June Staff Recommendation: Staff recommends an alternate scheme for the stabilization of the slope be considered rather than burying the wall. Staff recommends approval of the concrete curbing and the removal of trees that are growing into the stone wall and slope between the wall and Court House Drive, which includes trees 30 and 31.

Testimony: Mr. Shad swore in Avinash Dewani from DPW and Andy McLean from McCormick Taylor. Mr. Dewani corrected a budget estimate that he made at the June meeting regarding the cost of the project. He explained that the project will cost \$500,000 rather than \$1,000,000. He explained that since the June meeting, he asked the consultants to look at more options to preserve wall and fix the slope.

Mr. Dewani said they determined that it was not feasible to construct another wall between the roadway and existing historic wall. Another scenario that was looked into was seeing if the wall could be moved further up.

Mr. Dewani said the concept drawing submitted to the Commission for approval is to bury the existing wall, extend the pipe and construct a new concrete wall to be faced in stone, where the pipe ends. This will make the slope flatter than it currently is. The new wall will be designed to look similar to the existing wall.

The Commission had a few questions on the proposal as the rendering was confusing. Ms. Burgess confirmed that Mr. Dewani was proposing to bury the existing historic wall, lessen the pitch of the slope, construct a concrete wall with veneer stone facing, extend the pipe through it and then plant grass on top. Mr. Dewani said that was correct. Ms. Holmes asked if the same trees from June were still proposed to be removed. Mr. Dewani said that was correct.

Mr. Roth commented that a 30-inch Tulip Poplar will be removed. Mr. Taylor asked Mr. Dewani if trees were going to be planted. Mr. Dewani said they would be planting some trees to compensate for those they are removing, but he did not have an exact number. Ms. Holmes asked what type of trees would be planted. Mr. McLean said they would plant native trees. Mr. Roth and the Commission discussed the loss of the 30-inch Tulip Poplar. Ms. Burgess explained that Tulip Poplars are pioneer trees, which are fast growing. She said the trees is old, but most likely not historic. Mr. Taylor inquired about the life expectancy. Ms. Burgess said she did not know, but said a Tulip Poplar is not a slow grower like an oak tree. Mr. Dewani said they tried to save the trees, but the roadway is failing, and this is a public safety project. Mr. Taylor recommended the Applicant work with Staff on selecting new trees.

Ms. Holmes asked if any other public meetings are required for this project. Mr. Dewani said that no other meetings were required.

Ms. Holmes asked if they will be matching the stone in color and size. Mr. Dewani said they would. Ms. Burgess explained that the stone that Mr. DeLuca has been using for projects is more appropriate than the stone in Lot E, which is randomly placed versus stacked, as the historic wall here is stacked stone.

Motion: Mr. Roth moved to Approve the application as submitted. Ms. Zoren seconded. Three voted in favor, Mr. Shad opposed. The motion was approved.

OTHER BUSINESS

Ellicott City Design Guidelines Update

There was no one present to give testimony on Chapters 9 and 10 of the existing Design Guidelines.

Ellicott City Flood Update

Ms. Burgess explained that while Staff has been working on updating the Design Guidelines, there is need to come up with flood mitigation suggestions/recommendations for town. Ms. Burgess explained there is in-kind replacement happening on several buildings that are being repaired and said Staff has heard from a few people asking about flood mitigation and what that looks like. She explained they have been trying to work with companies to see what flood gates, panels, doors, etc. look like. Ms. Burgess explained that since the Guideline Update is not complete, Staff is working on a guideline update policy, similar to what was developed for solar panels. They were hoping to have a draft available for the current meeting, but explained it is a complicated topic and they are still working on it. She is hoping to discuss flood proofing at the August meeting and will eventually be sending a draft out for review.

Ms. Burgess explained that an intern would be starting soon to assist Staff with formatting the Guidelines in In-Design.

Ms. Burgess provided an update on the status of the Ellicott City Watershed Master Plan and said she will keep the Commission members posted on dates of public meetings.

Mr. DeLuca explained that DPW will be managing a \$150,000 grant for floodproofing for Valley Meade and Ellicott City.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner, Acting Recording Secretary